

## JONES DAY

250 VESEY STREET • NEW YORK, NEW YORK 10281.1047

TELEPHONE: +1.212.326.3939 • JONESDAY.COM

DIRECT NUMBER: 2123263496

ECAGNEY@JONESDAY.COM

July 6, 2023

The Honorable Jennifer L. Rochon  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1920  
New York, NY 10007

Re: Lockinger v. International Business Machines Corp.  
1:22-cv-09888

Dear Judge Rochon:

Pursuant to the Court's April 21, 2023 Order, the Parties in the above-referenced action respectfully submit this joint letter. The Parties attended a mediation session before Susan Salazar on June 29, 2023. The Parties were unable to reach a resolution at this time and intend to move forward with the litigation.

The Parties are generally available for an initial conference, to be scheduled at the Court's convenience, but due to previously scheduled vacations ask that the conference not be scheduled on the following dates:

- July 11, 21, 24, 27 – 31; or
- August 3, 4, 7, 9, 14 -18, 24 - September 1

Respectfully submitted,

s/ Erika D. Cagney

Erika D. Cagney  
Counsel for Defendant

s/ Brian Heller

Brian Heller  
Counsel for Plaintiff